

**THE EFFECTIVE DATE OF THIS ORDINANCE IS September 1, 2005**

**ORDINANCE NO. 05-18-379**

**RE: ORDINANCE INCREASING MARRIAGE LICENSE SURCHARGE**

**PREAMBLE**

Under Maryland State law, each county may establish an additional marriage license fee for each license. The proceeds of this additional marriage license fee are to be used to fund battered spouse shelters and domestic violence programs. See §2-404 of the Family Law Article of the Maryland Code.

In the 1993 legislative session, the Maryland General Assembly passed H.B. 344 which was signed into law and became Chapter 511 of the 1993 Laws of Maryland. This law allowed the Board of County Commissioners of Frederick County to set an additional marriage license fee not to exceed \$45.00 for each license.

During the 1997 legislative session, the General Assembly passed S.B. 596 which was signed into law and became Chapter 374 of the 1997 Laws of Maryland. This law allows the Board of County Commissioners to set an additional marriage license fee not to exceed \$65.00 for each license.

In Frederick County, the additional marriage license fee was originally set at \$25.00 as established in Resolution No. 88-16 adopted by the Board of County Commissioners on December 5, 1988 and effective January 1, 1989.

In Frederick County, the funds collected from the additional marriage license fee

are designated to go to Heartly House, Inc., which provides domestic violence programs in Frederick County.

In 1993, Heartly House requested that the additional marriage license fee be increased to \$45.00. This request was approved by the Board of County Commissioners on September 7, 1993, by Ordinance No. 93-17-081, effective October 1, 1993.

In 1997, Heartly House requested that the additional marriage license fee be increased to \$50.00, which was approved on December 16, 1997, by Ordinance No. 97-19-197, effective January 1, 1998.

On June 30, 2005, Heartly House requested that the Board of County Commissioners increase the additional marriage license fee to \$65.00, which is the maximum additional fee allowed by State law, to help fund its continued services to victims of domestic violence.

The Board of County Commissioners held a duly advertised public hearing on this request on July 19, 2005. The public had an opportunity at this public hearing to comment on this proposed Ordinance.

The Board of County Commissioners has determined that the marriage license surcharge should be increased from \$50.00 to \$65.00.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that the additional marriage license fee for Frederick County, as provided for in § 2-404(i) of the Family Law Article of the Maryland Code, shall be \$65.00 for each license. As of the effective date of this Ordinance, the Clerk of the Circuit Court for Frederick County shall, in addition to any other

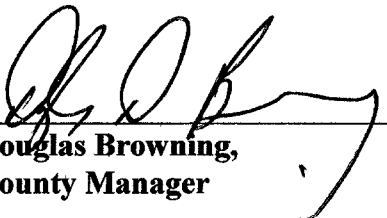
fees provided for marriage licenses, collect an additional fee of \$65.00 for each license issued. The Clerk shall remit the proceeds of this additional fee monthly to the Treasurer of Frederick County, Maryland. This additional fee of \$65.00 per marriage license will be used to fund domestic violence programs as directed by the Board of County Commissioners.

This Ordinance shall be effective September 1, 2005.

The undersigned hereby certifies that this Ordinance was approved and adopted on the 19<sup>th</sup> day of July, 2005.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
OF FREDERICK COUNTY, MARYLAND**

  
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**Douglas Browning,**  
**County Manager**

By:  (SEAL)  
\_\_\_\_\_  
**John L. Thompson,**  
**President**

KLM  
7/20/05